

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GORDON BROADBENT AND
ALEXANDRA BROADBENT, a marital
community,

Plaintiffs,

v.

PUGET SOUND & PACIFIC RAILROAD
d/b/a PUGET SOUND & PACIFIC
RAILROAD COMPANY and CATTRON-
THEIMEG, INC.,

Defendants.

Case No. C05-5503FDB

ORDER OF REMAND

This matter comes to the Court's attention upon Plaintiff's Response to the Court's Order To Show Cause concerning the tardiness of the required Joint Status Report.


This cause of action was originally filed in Mason County Superior Court and was removed on July 25, 2005 by Defendant Cattron-Theimeg, Inc., asserting diversity jurisdiction. On August 11, 2005, Defendant Puget Sound & Pacific Railroad filed its Answer asserting that its principal place of business is Shelton, Mason County, Washington. Plaintiffs, also, are residents of Shelton, Washington. Thus, there is not complete diversity between Plaintiffs and Defendants, as Defendant Puget Sound & Pacific Railroad has its principal place of business in Shelton, Washington.

ORDER - 1

1 This Court lacks diversity jurisdiction over this cause of action and this case must be
2 remanded to Mason County Superior Court whence it was removed.

3 NOW, THEREFORE, IT IS ORDERED: This court lacks diversity jurisdiction over this
4 cause of action and it is hereby REMANDED to Mason County Superior Court.

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6 DATED this 23rd day of January, 2006.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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